

Application No.: 10/022,795

Docket No.: LA-7271-101/10209289

REMARKS

The claims appearing in this Application are 1 through 20. Claims 1 through 7-9, 11 through 14 and 16 through 20 were rejected as being anticipated under 35 U.S.C. § 102(e) in view of the Patent to Lyons (US 6,181,343) while claims 8, 10 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lyons '343 in view of Honda (US 6,020,885). Applicant respectfully traverses these rejections and respectfully requests reconsideration of these claims as amended.

The Examiner has denied priority to Applicant based on the Provisional Application filed December 26, 2000. Applicant has thoroughly analyzed the disclosure contained in the Provisional Application and has compared it to the disclosure as set forth in the present Non-Provisional Application, Serial No. 10/022,795 and Applicant respectfully submits that the disclosure contained in the Provisional Application fully complies with the requirements of the first paragraph OF 35 U.S.C. § 112 and in all ways fully supports the disclosure contained in the present Non-Provisional Application. The mere fact that the Provisional Application had a total of 8 pages, while the Non-Provisional had a total of 15 pages is not relevant to the requirements of the first paragraph of 35 U.S.C. § 112. What is relevant is what is disclosed in the Provisional Application as compared to the Non-Provisional Application. The Provisional and the Non-Provisional Applications cover exactly the same system with exactly the same components. The Provisional Application admittedly did not include diagrams but only included print-outs of computer screens. The additional diagrams were provided at the time of filing of the Non-Provisional to merely further clarify the system as fully disclosed by the computer screen print-outs. Applicant therefore respectfully submits that full compliance with 35 U.S.C. § 112

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has been made and therefore Applicant respectfully requests reconsideration of the denial of priority and the reversal of the same.

Applicant's invention is directed to a method, a computer system and a programmable media wherein a multiplicity of users interact within an immersive online virtual community by utilizing avatars which are generated by each of the users. The user utilizes identity tools to select characteristics to represent the avatar with the characteristics being associated to generate a unique personality as specified and desired by the user. The users utilize a set of interface tools to cause their avatar to interact with other avatars representing other users within the immersive online virtual community. The avatars in this interactivity pass user generated content between the avatars and such is done under appropriate administrative controls. Each of claims 1, 10 and 17, the independent claims appearing in this Application have been amended to clearly specify Applicant's method, system and programmable media in the manner above set forth. For example, claim 1, as amended, reads as follows:

Claim 1. A method in which a user interacts within an immersive online community having avatar virtual objects, said method comprising the steps of:

- providing a set of user tools including identity tools;
- a user through use of said identity tools selecting a set of characteristics to represent a first avatar object wherein each of said characteristics is associated with a unique personality specified by the user;
- providing a set of interface tools;
- said first avatar object interacting with other avatar objects, utilizing predetermined ones of said interface tools such that said other avatar objects receive real-time responses to stimuli initiated by said other avatar objects; and
- said first avatar object interactively passing user generated content between said other avatar objects and said user under administrative controls.

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Claim 11 has similarly been amended and, in addition, has also been further amended to specify that the computer network comprises multiple computers connected together utilizing telecommunications mechanisms optimized for low bandwidth connection so that the plurality of users of the multiple computers can communicate with each other by way of a plurality of avatars and claim 11 as thus amended reads as follows:

11. A computer system contained within a computer network comprising:
multiple computers connected together using telecommunications mechanisms optimized for low band width connections;
a plurality of users using said multiple computers communicate with each other by way of a plurality of avatars;

said computer system comprising the steps of:

- providing a set of user tools including identity tools;
- a user through use of said identity tools selecting a set of characteristics to represent a first avatar object wherein each of said characteristics is associated with a unique personality specified by the user;
- providing a set of interface tools;
- said first avatar object interacting with other avatar objects utilizing said interface tools such that said other avatar objects receive real-time responses to stimuli initiated by said other avatar objects; and
- said first avatar object interactively passing user generated content between said other avatar objects and said user under administrative controls.

Claim 17 as amended reads as follows:

17. A programmable media containing programmable software enabling a user to interact within an immersive online community having avatar objects, said programmable software comprising the steps of:
providing a set of user tools including identity tools;

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a user through use of said identity tools selecting a set of characteristics to represent a first avatar object wherein each of said characteristics is associated with a unique personality specified by the user;

providing a set of interface tools;

said first avatar object interacting with other avatar objects utilizing said interface tools such that said other avatar objects receive real-time responses to stimuli initiated by said other avatar objects; and

said first avatar object interactively passing user generated content between said other avatar objects and said user under administrative controls.

From the foregoing independent claims as set forth above, it is quite evident that the method, system and programmable media as defined in the claims clearly are directed to the immersive online virtual community utilizing the avatars.

Applicant respectfully submits that the Patent to Lyons, the principal reference, does not in any way disclose or even hint at the method, system or programmable media as defined by the claims as amended and presently under consideration in this Application. Lyons teaches a method of using a camera to capture physical gestures and movements of users and simulating these gestures and movements within a rendered three-dimensional space generated by a computer. Lyons, at column 1, lines 29-45 discloses a perceptually immersive approach within a 3D environment that requires a head mounted display and tracking devices attached to the arms and legs of the participants. At column 9, lines 9-14, Lyons discloses user interactivity with a scene by adopting specific poses and gestures. Column 4, lines 22 through 40 discloses camera based gesture inputs of the user and how the system processes the video signals in the micro-processor and constructs three-dimensional representations of the user. Column 6, lines 4-55 discloses a system and method for navigation using video signals from a camera

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dubbed "computer vision", allowing users to interact via a large screen display through body poses, positions and gestures.

Claims 1, 11 and 17, as amended, claim an immersive approach within a virtual community that does not require any head mounted displays, tracking devices or cameras. Users are not interacting by using body poses, positions or gestures. The users, in accordance with Applicant's invention, interact by creating virtual personas (avatars), communicating through real time graphical chat, passing virtual objects to one another, and creating user generated virtual content. Applicant respectfully submits that none of this is taught by the Patent to Lyons. Lyons does not deal with chat communication or creating a virtual content, just the movement of the virtual representation of a user. In addition to the foregoing, it is clear from the structure of the claims that Applicant's invention utilizes a computer system which is contained within a network of computers and as is specifically set forth in claim 11 this network of computers allows a plurality of users utilizing avatars each having its own unique characteristics to interact or participate in the virtual online community through the avatars by passing the user generated content between them. Lyons, on the other hand, does not teach a network containing a plurality of computers which are interconnected, particularly interconnected in a manner optimized for low bandwidth connections. Rather Lyons teaches the utilization of cameras which will allow a user or users to interact with a virtual reality environment surrounding the system user. Thus, it is respectfully submitted that the Lyons references teaches a system totally different from that defined by Applicant's claims as amended. Applicant further respectfully submits that the secondary reference Honda, as applied only to claims 8, 10 and 15 does not provide a teaching to overcome the limitations of the primary reference Lyons. Applicant therefore respectfully submits

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that the independent claims 1, 11 and 17 define patentable subject matter over the primary reference Lyons.

Claims 2 through 10 are each dependent upon claim 1 and thus contain all of the limitations of claim 1 and add additional limitations thereto. Therefore, Applicant respectfully submits that claims 2 through 10, like claim 1 are also allowable.

Claims 12 through 16 are each dependent upon claim 11 and thus contain all of the limitations of claim 11 as amended and add additional limitations thereto. Therefore, Applicant respectfully submits that claims 12 through 16, like claim 11, are also allowable.

Claims 18 through 20 are each dependent from claim 17 and thus contain the limitations as set forth in claim 17 and add additional limitations thereto. Therefore, Applicant respectfully submits that claims 18 through 20, like claim 17 define patentable subject matter and are allowable over the references of record.

In view of the foregoing amendments and these remarks, Applicant respectfully submits that claims 1 through 20, as amended, define subject matter which is patentable over Lyons or Lyons and Honda, taken in combination and therefore Applicant respectfully requests reconsideration of claims 1 through 20 and the issuance of a Notice of Allowance with respect thereto.

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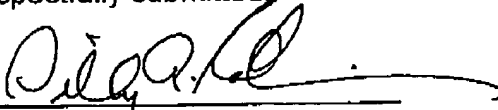
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A Petition for a Three Month Extension of Time is accompanied herewith. If there are any additional fees required, the Commissioner is hereby authorized to charge any such fee to our Deposit Account No. 50-0337.

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Respectfully submitted,

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